

# JOURNAL OF THE SENATE

OF THE

## STATE OF TEXAS

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### REGULAR SESSION

OF THE

### FORTY-EIGHTH LEGISLATURE

CONVENED JANUARY 12, 1943

ADJOURNED MAY 11, 1943



The Capital Printing Company

**Senate Resolution 32**

(Committee to Investigate Shortage  
of Feeds)

Senator Brownlee offered the following resolution:

Whereas, A critical situation exists in the State of Texas today which threatens the economic existence of our farmers and ranchmen due to the absolute lack of supplies of protein feeds necessary to keep their stock alive, their ability to produce the food and fiber required in the war effort as demanded by the United States Government, and threatens the economic welfare of the stockyards,

packers, retailers and consumers, as well as the health and nourishment of our people in every section of the nation; and

Whereas, Said government has laid out a program setting forth quotas for production of meat, wool, mohair, fats, and other food supplies which cannot be complied with by the farmer and stockman unless he is able to purchase the necessary amount of protein products to feed the livestock and poultry he has on hand at the present time. For instance, for the 1,473,000 dairy cows two years old and older, 5,971,000 head of dairy calves and yearlings and other beef cattle of all ages in the hands of dairy producers and farmers, and 10,349,000 sheep, the authorities estimate that the minimum requirements for dairy cows are two pounds daily per head, or six hundred pounds of cottonseed meal or other protein meal annually per head, which would amount to 441,900 tons, and approximately two hundred pounds annually per head for dairy calves, heifers and beef cattle, or a minimum requirement of 597,100 tons of cottonseed meal or other protein concentrate. Thus for beef cattle alone a need of approximately 1,000,000 tons is necessary annually. This amount alone is double the tonnage that can be produced from the cotton seed and peanuts available in Texas for crushing under present conditions and Federal regulations; and

Whereas, Sheep require about twenty-five pounds of protein meal yearly per head, which creates a need for an additional 129,000 tons for the maintenance of said sheep; and

Whereas, There are approximately 4,000,000 ewes on the ranches and farms in Texas which are either lambing at the present time or will be lambing within the next few weeks, and since it is absolutely necessary on account of the dry weather in Texas at this time that said ewes be fed enough protein concentrate to start the milk flow, in order that the lamb crop can be kept alive during the next few months, or until the weed and grass crop starts; and

Whereas, In the great milk, butter, meat and wool producing section of the United States, comprised of Texas, Oklahoma, and New Mexico, there are at present, according to conservative estimates, 2,406,000 dairy

cows, 9,051,000 beef cattle (including yearlings and calves), and 12,978,000 sheep, and now and the next three months being the time when calves and lambs are dropped, it is necessary to feed mother cows and ewes a sufficiency of protein from January to May so as to preserve the strength and vigor of this year's calves and lambs until grass time. Unless such protein is available, the death toll among mother cattle and sheep, as well as this year's crop of calves and lambs, will be tremendous; and

Whereas, Over this area during the next one hundred days, a minimum of one and one-half million tons of cake and meal will be required, not taking into consideration the feeding program of swine and poultry for pork and egg production; and

Whereas, All retail dealers contacted by long distance telephone and telegraph within the last few days report that they are absolutely out of the feeds mentioned above, and that the farmers and ranchmen of Texas are unable to buy this feed in any quantity at all from such dealers; and

Whereas, A statewide survey of this critical situation shows that practically all of the cotton seed produced from the 1942 crop has been crushed, sold and used, and that the supply of cake and meal from said crop has absolutely disappeared and been consumed; and

Whereas, There are two other courses of protein feeds perhaps available, to-wit, peanuts and soya beans: A hasty survey indicates that the peanut production in Texas is being stored and not being shipped to the mills for immediate crushing, and that soya beans, mostly produced further north in the United States, are being shipped to Texas mills on a strict ration basis. This survey also reveals that 50% of the product is withheld from the markets in Texas, but that if the peanuts in storage were sent to the mills and a sufficient amount of soya beans were released by the Federal government immediately, that the above situation would to a great extent be relieved; and

Whereas, A limited survey made by the author of this resolution indicates that the claim of some retail dealers that the mills are holding back protein feeds in order to break the ceiling price is in error, and that to the

contrary, the mills have manufactured and delivered all supplies of the raw product that have been available to them, and it has become apparent that the mills are exerting every effort in their power to obtain more supplies and furnish them to the retailer for the benefit of the farmer and ranchman. This survey indicates that this situation is caused by an increased demand due to the expanded production requirements of the Federal government to meet the increased needs of the war program; and

Whereas, For the year 1943, surveys have shown that approximately 11,700,000 tons of high protein feeds, minerals and vitamin supplements will be needed, only 9,500,000 tons are now in sight, indicating that there will be a further shortage of approximately 2,200,000 tons during 1943 unless an additional source is found from which to produce these feeds; and

Whereas, Cotton seed is one of the principal sources not only of animal food, but also food for human consumption, and that at the present time the Federal government is restricting the production of cotton, and therefore, of cotton seed by restricting the acreage to a small part of the amount of land available for the planting of cotton, and that in order to comply with the requirements of the government for the army and civilian population, as well as the production of this high protein product, it appears only sensible that in order to prevent an absolute bottleneck in the food program of the nation, and in the production of wool, that the acreage in cotton should be substantially increased to offset the certain shortage threat of 1943; and

Whereas, We have been informed that the Secretary of Agriculture favors the cutting still further of cotton acreage, although Texas, in cotton production and in the production of beef cattle, supplies a large part of the meat protein for our fighting forces, our allies, and our people at home. It seems that the acreage should be substantially increased not only in Texas, but over the entire cotton belt; and

Whereas, The Senate of Texas desires to investigate the above allegations promptly in order to arrive at the true situation to determine if

possible the cause of said situation, and furnish the Federal government with facts upon which to base an intelligent decision as to its policies; now, therefore, be it

Resolved by the Senate of the State of Texas:

Section 1. That the Lieutenant Governor be, and he is hereby authorized to appoint a committee of five Members of the Senate to sit at such times and places between this date and the date of the adjournment of the Regular Session of the Forty-eighth Legislature, as may to said committee seem necessary and proper; and to inquire into any other affairs and activities of governmental departments, institutions, persons, firms or corporations of whatever kind and character, as such activities in any way affect the situation above set forth, and shall have authority to investigate and inquire into such matters.

Sec. 2. That said committee shall have the power to formulate its own rules of procedure and evidence, and to provide for its own hours of meeting, recessing, and adjournment. Provided, however, that the rules of evidence to be followed shall be practically the same as followed in the courts of this State, and the committee is authorized to hold executive sessions, within its discretion, and then the committee may be governed by the rules of evidence applicable to any grand jury inquiry in this State.

Sec. 3. That the majority of the membership of the committee shall have power to issue process for witnesses to any place in this State, and to compel their attendance, and produce all books and records, and upon disobedience of any subpoena the said committee shall have the power to issue attachments which may be addressed to and served by either the sergeant-at-arms appointed by said committee or any sheriff or any constable of this State; and said committee shall have authority to cite for contempt any one disobeying said process and to punish for such contempt in the same manner as provided for by general law. Said committee shall have power to inspect and make copies of any books, records, or files and any and all other instruments and documents pertinent to the matter under investigation by said

committee, and shall also have power to examine and audit the books of any person, firm, or corporation having dealings with departments and institutions under investigation by said committee. The committee shall have power to administer oaths and affirmations and fix the bonds of attached witnesses; and the committee shall further have all the powers necessary in order to accomplish the purposes for which it is appointed. Three Members of such committee shall constitute a quorum for the transaction of official business.

Sec. 4. The witnesses attending under process shall be allowed the same mileage and per diem as is allowed witnesses before any grand jury in this State.

Sec. 5. Said committee shall have power and authority to employ and compensate all necessary investigators, auditors, clerks, stenographers, and any other necessary employees, and it shall be the duty of said committee to make and keep a record of its investigations.

Sec. 6. That said committee may call upon the Attorney General's Department, Auditing Department, and all other departments for assistance and advice, and it shall be the duty of the Attorney General's Department to render opinions, give counsel and assistance to said committee on request of Chairman or Members of said committee.

Sec. 7. That said committee shall submit a report in writing to this Legislature at the earliest practicable time, and make such recommendations as it may choose to make. The compensation and expenses herein provided for incident to the work of such committee shall be paid out of the appropriation for mileage and per diem and Contingent Fund of the Forty-eighth Legislature and out of any fund otherwise appropriated by said session of said Legislature for such purpose, upon sworn account of persons entitled to such pay, when approved by the chairman of said committee; and sufficient money is hereby appropriated out of the mileage and per diem and Contingent Fund of said Forty-eighth Legislature to meet the payment of such per diem and expenses of the Members of said committee, witnesses, fees, and other expenses incident to said investigation.

Sec. 8. Said committee may include in its report its recommendation of any legislation that should be enacted or other action that should be taken.

BROWNLEE,  
SULAK,  
FAIN,  
FORMBY,  
LOVELADY,  
METCALFE,  
WINFIELD,  
MOFFETT,  
KELLEY.

The resolution was read.

The resolution was considered immediately and was adopted.

In accordance with the provisions of the resolution, the President appointed the following committee:

Senators Brownlee, Winfield, Mauritz, Graves, and Cotten.

**TWENTY-SIXTH DAY****(Monday, March 1, 1943)****Report of Committee to Investigate Shortage of Feeds**

Senator Brownlee submitted at this time the following report:

Austin, Texas,  
February 27, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: Your committee appointed [pursuant to Senate Resolution 11] to investigate the protein feed shortage in the State of Texas begs leave to report that it has held several hearings, bringing before it a number of witnesses, and your committee believes, from the evidence placed before it, that the following facts are true:

1. That a critical situation exists in the State of Texas today which threatens the economic existence of our farmers and ranchmen due to the absolute lack of supplies of protein feeds necessary to keep their stock alive, their ability to produce the food and animal fiber required in the war effort as demanded by the United States Government, and which threatens the economic welfare of the stockyards, packers, retailers and consumers, as well as the health and nourishment of our people in every section of the nation.

2. That the government program setting forth quotas for the production of meat, milk, mohair, wool, fats and other food supplies cannot

be complied with by the farmer and stockman unless he is able to purchase the necessary amount of protein products to feed the livestock and poultry he has on hand at the present time; that the amount of protein feed necessary to feed the cattle, sheep and all livestock is double the tonnage that can be produced from the cottonseed and peanuts available in Texas for crushing under present conditions and Federal regulations.

3. That it is very necessary at the present time and in the next three months to feed mother cows and ewes a sufficiency of protein so as to preserve the strength and vigor of this year's calves and lambs until grass time; that unless such protein is available, the death toll among mother cattle and sheep, as well as this year's crop of calves and lambs, will be tremendous.

4. The evidence shows that practically all of the cotton seed produced from the 1942 crop has been crushed, sold and used, and that the supply of cake and meal from said crop has been absolutely consumed.

5. The evidence shows also that there are two other sources of high protein concentrate feeds perhaps available, to-wit, peanuts and soya beans; but that a large part of the peanut production in Texas is being stored and not being shipped to the mills for immediate crushing, and that soya beans, mostly produced farther north in the United States, are being shipped to Texas mills on a strict ration basis. That the government estimate of the soya bean crop of 1942 was 209,000,000 bushels,

and their record shows that on January 1st, only about 60,000,000 bushels of this crop had reached the terminal markets, leaving, if their figures are correct, 149,000,000 bushels which should be still available if they could be released to the mills. The estimate is that each bushel of soya beans will produce about 48 pounds of protein feed; that therefore if soya beans which have not reached the market were crushed, they would produce more than three and a half million tons of protein feed, which would relieve to a great extent the above mentioned critical situation. This committee also believes that a large amount of protein feed will be added to the above if all peanuts which are held in storage are crushed.

6. The evidence indicates that the claim of some retail dealers that the mills are holding back protein feeds in order to break the ceiling price is in error, and that the mills have manufactured and delivered all supplies of the raw produce that have been available to them, and that the mills are exerting every effort in their power to obtain more supplies and furnish them to the retailer for the benefit of the farmer and ranchman; that the situation is partly caused by an increased demand due to the expanded production requirements of the Federal government to meet the increased needs brought about by the war program.

Products which are critically short amount to about 850 pounds from every 1500 pounds of seed cotton. They are: 400 pounds of cottonseed meal, a concentrated protein feed needed to feed livestock to produce the "Food for Freedom"; 240 pounds of cottonseed hulls, a livestock feed and also an essential material in making aviation gasoline and synthetic rubber; 130 to 140 pounds of cottonseed oil, a fat so scarce that housewives are being urged to save the "drippings" from their cooking; and 80 pounds of cotton linters, classified by the War Production Board last October as "critical short war material" and used in making munitions because one bale of linters supplies powder to fire 100,000 bullets. (Neither soybeans nor peanuts supply cotton linters.)

The Cotton Belt can produce these materials more efficiently than any

other crop for many reasons. All of our warehousing, transportation and manufacturing and handling facilities have been designed to serve cotton production. Prior to the cotton control program, the South planted 40 to 45 million acres in cotton and has produced 19 million bales in one year. During normal periods, the Cotton States should probably limit acreage to 27 to 30 million acres. In time of war, the South should not only be permitted but urged to grow the crop that it is best qualified to produce. Our soils and climate are better adapted to cotton than to other crops; cotton's proved ability to withstand drouth, excessive heat, insects and other pests makes cotton the most dependable source of these materials in the cotton-growing area. Farmers know how to grow cotton, and have the machinery and equipment to handle it. Gins are already available to gin cotton. Oil mills of the Cotton Belt have the facilities to handle twice as much cottonseed as is now being produced. For these reasons, the resources of the Cotton Belt can be used most efficiently to produce needed war materials, and will be most dependable in war production, only if they are permitted to grow more cotton.

7. That there will be further shortage of many tons of protein feeds during 1943 unless an additional source is found from which to produce these feeds.

8. The evidence also shows that cottonseed is one of the principal sources not only of animal food, but also food for human consumption, and that the Federal government is restricting the production of cotton, and therefore, of cotton seed, and that in order to comply with the requirements of the government for the army and civilian population, as well as the production of this high protein product, it is only sensible that the acreage in cotton should be substantially increased to offset, as far as possible, the certain shortage threat of 1943.

9. That Texas, in cotton production and in the production of beef cattle, supplies a large part of the meat protein for our fighting forces, our allies and our people at home, and that the acreage for cotton planting should be substantially increased

not only in Texas, but over the entire Cotton Belt. Your committee believes that the evidence shows the indications are that under the Triple A program, the same amount of cotton will be planted in 1943 as was planted in 1942, to-wit, between twenty-two and twenty-three million acres. That 1942 was a good year from a rainfall standpoint, but that most of the cotton growing section of Texas is now in a drouth condition, and that unless copious rains fall within a short time, not only cotton but all other crops may be short in 1943. That cotton is not only a fiber crop, but is also a source of meal and cake, which comprise one of the nation's major items of protein food for livestock and dairy cattle, and that the larger the output of cake and meal, the more abundant is the supply of meat and milk; that cottonseed is important also to the munitions industry, as linters, which are removed before the seed is crushed, are one of the best ingredients for the manufacture of explosives; that cottonseed also produces many other products, such as edible oils, which are a valuable and substantial part of the diet of the people of the nation.

10. That the government is paying subsidies for the growing of peanuts, soya beans, potatoes and certain vegetables, while the facts are that for every 1500 pounds of seed cotton that goes to the gin, there is produced about one thousand pounds of cottonseed; that before the present war the average world consumption of American cotton was only about thirteen million bales per year, and this country alone is now consuming nearly twelve million bales per year, or about twice as much as in peace time, and that it is entirely possible that after the war there will be such a demand for lint cotton that there will be a shortage, and that while a surplus of cotton fiber was embarrassing in the past, we are now in war and different conditions exist; also that the food shortage is such that food is so scarce that it must be rationed, therefore it appears reasonable that the curtailment of one of the most important sources of edible oil and protein feed for livestock should be at least abandoned for the present, allowing the Southern cotton farmers to contribute to the victory

program by planting and raising the crop which they know how to raise.

11. Your committee recommends that more soya beans be shipped into Texas for crushing, and recommends a hastening of the movement of peanuts to the oil mills, that the acreage to be planted in cotton be raised so that the cotton farmer can produce according to his ability and the kind of soil he has, at least during the period of the war, that the only way that meat and milk can be produced to meet present needs is to permit the farmer to produce what he knows best how to produce and what he is equipped to produce as cotton is one of the most important of the commodities which are necessary to win the war.

We respectfully refer you to the transcript of the evidence which has been printed, and a copy of which has been delivered to each Member of the Senate.

Respectfully submitted,

BROWNLEE, Chairman,  
COTTEN,  
MAURITZ,  
WINFIELD,  
GRAVES.